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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,055	11/04/2003	Andreas Reineke	BE8794US	5538
7590	11/17/2005		EXAMINER	
Mark Kusner Co., LPA Highland Place - Suite 310 6151 Wilson Mills Road Highland Heights, OH 44143				CHANG, YEAN HSI
				ART UNIT
				PAPER NUMBER
				2835

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.F

Office Action Summary	Application No.	Applicant(s)	
	10/701,055	REINEKE, ANDREAS	
	Examiner	Art Unit	
	Yean-Hsi Chang	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 November 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 3-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 3-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

<ol style="list-style-type: none"> 1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. 	<ol style="list-style-type: none"> 4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6)<input type="checkbox"/> Other: _____.
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-10, 13, 15 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogawa (US 6,654,242 B2).

Ogawa teaches a computer (1, fig. 1) comprising: a case (13) in which at least one cooling device (12) and one electrical component (15) to be cooled are arranged, wherein the case has a plurality of ventilation openings (82), the ventilation opening is arranged on a side (22) of the case opposite to the electrical component, the cooling device is arranged between the ventilation opening and the electrical component (shown in fig. 4) so that a substantially rectilinear air flow onto the component is formed inside the case, wherein the ventilation is disposed in a region of the case and is offset towards an opposite side of the case (shown in fig. 4) (claims 1 and 13); wherein the cooling device, the component and the region of the case having the ventilation opening are coaxial (shown in fig. 4) (claim 3); wherein the case is rectangular (shown in fig. 1)

(claim 4); wherein the component is a central data processing unit (see col. 6, line 1) (claim 5); wherein the cooling device comprises a fan (12) and a heat sink (14) abutting against the central data processing unit (shown in fig. 4) (claims 6 and 7); wherein a heat-conducting medium is arranged between the heat sink and the central data processing unit (shown in fig. 4, not labeled) (claim 8); a device (11) which is arranged between the fan and the ventilation opening (claim 9); a device (fins of 14, not labeled) which is arranged between the heat sink and the fan (claims 10 and 18); and wherein the case has air outlet openings (83a) (claim 15).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Lai (US 6,404,630 B1).

Ogawa discloses the claimed invention except the device being cylindrical and made of flexible material, and the ventilation openings being circular.

Lai teaches a computer (fig. 3) comprising a cylindrical device (12) made of a flexible material (see col. 2, line 15), being arranged between a fan (30, fig. 1) and a

circular ventilation opening (shown in fig. 3, not labeled) arranged on a side (52) of a case (50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Ogawa with the device taught by Lai for entirely covering the fan and preventing air leakage so as to increase the efficiency of air convection.

5. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Michael (US 6,778,390 B2).

Ogawa discloses the claimed invention except a filter being arranged along the flow path of the air, and the heat sink being made of metal, especially of aluminum or copper.

Michael teaches a cooling system (fig. 8) for a computer system (800), comprising a filter (at vent 803; see col. 3, lines 18-19) being arranged along the flow path of the air (shown in fig. 3) for cleaning inlet air, and a heat sink (123, fig. 1) being made of metal, especially of aluminum or copper (see col. 3, lines 13-15).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Ogawa with the filter and the heat sink taught by Michael for cleaning inlet air, and for efficiently dissipating heat generated by the CPU.

6. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Diaz et al. (US 6,219,235 B1).

Ogawa teaches a computer (1, fig. 1) comprising: a case (13) having a cooling device (12) and one electrical component (15) to be cooled and disposed within said case, a ventilation openings (82) disposed on one side (22) of the case opposite from said electrical component, the cooling device being arranged between the ventilation opening and the electrical component (shown in fig. 4) so that a substantially rectilinear air flow onto the component is formed inside the case (claim 19); wherein said cooling device comprises a fan (12) and a heat sink (14) (claim 20).

Ogawa fails to teaches the ventilation opening being recessed in said one side of said case towards an oppose side.

Diaz teaches a ventilation opening (130, fig. 2A) on one side (115) of a case (110) of an electronic assembly (100), being recessed in said one side towards an opposite side (near 160 as shown in fig. 2A).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the case of Ogawa with the side having ventilation openings taught by Diaz for the purpose of air flow control and routing.

Response to Arguments

7. Applicant's arguments filed 11/3/05 have been fully considered but they are not persuasive.

Regarding claim 1, Applicant argues, "The Ogawa reference teaches a computer having a case that has a plurality of ventilation openings therethrough. The ventilation openings are not disposed in a region of a case that is offset toward an opposite side wall of the case". Referring fig. 4 of Ogawa, the ventilation openings 82 are disposed in a region within 11 of a case 13 that is offset from side 22 toward an opposite side 21 of the case as shown in fig. 4.

Regarding claims 11-12, 14 and 16-17, Applicant argues, "Neither the Lai reference or the Michael reference teach, suggest, or show a ventilation opening disposed in a region of the case and said region is offset towards an opposite side of the case". Ogawa reference teaches this feature as stated hereinabove.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Thursday.

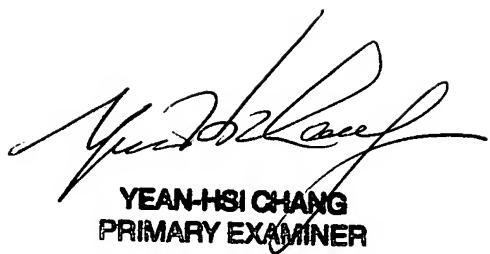
If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

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Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
November 15, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER